

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 13-E-0198 - In the Matter of 2013 Electric Emergency Plan Review.

NOTICE INVITING COMMENTS

(Issued May 21, 2013)

The Public Service Commission (Commission) initiated this proceeding for review and approval of utility electric emergency response plans in accordance with newly enacted provisions of the Public Service Law (PSL). Following Superstorm Sandy, the PSL was amended to provide the Commission with increased authority with regard to utility electric emergency response plans. The PSL states that electric emergency response plans are to be designed for the reasonably prompt restoration in the case of an emergency event, which is defined for this purpose as an event where widespread outages have occurred in the service territory of the company due to storms or other causes beyond the control of the company. The law also enumerates minimum requirements for the utilities' electric emergency response plans, establishes the Commission's authority to open an investigation of the plans to determine their sufficiency, and if necessary to require their amendment. The PSL requires that utilities file their electric emergency response plans annually on or before December fifteenth for Commission review and approval.

The Commission in this proceeding is reviewing utility electric emergency response plans filed on or before April 1, 2013 as required by 16 NYCRR Part 105. The Commission will determine the sufficiency of the plans, require amendment as may be necessary to improve the emergency plans for future emergency responses, and provide direction for utilities to develop appropriate plans for the December filing in accordance with the new PSL requirements.

Some of the areas that will be addressed in the Commission's review of the utility emergency plans, and which interested parties may wish to emphasize in their comments, are:

- Overall restoration procedures
- Flood restoration protocols
- Communication with municipalities
- Communication with other utilities
- Communication with customers
- Estimated Times of Restoration (ETR)
- Mutual assistance

Pursuant to the State Administrative Procedure Act, a public comment period has been established as a part of the Commission's review of the 2013 electric emergency response plans. The public comment period extends until June 10, 2013. Copies of the plans can be found on our website at <http://www3.dps.ny.gov/W/PSCWeb.nsf/SN/EEPR>. Once the emergency plans are approved, it is expected that they will serve as the foundation for subsequent enforcement action by the Commission in connection with the newly enacted changes to the Public Service Law. These changes provide for increased Commission oversight of utility emergency response plans and authority to assess civil penalties against utilities. In a parallel proceeding, the Commission has proposed and is seeking comment on, a draft scorecard which is designed to provide criteria for the quantitative assessment of electric utility performance in restoring electric power after a significant outage (see, Case 13-E-0140 – In the Matter of Utility Emergency Performance Metrics, (issued April 18, 2013)).

Please note that when originally filed, the emergency response plans were filed under individual case numbers and the SAPA Notices were numbered accordingly. The review has been consolidated into Case 13-E-0198 to facilitate review and approval of the plans. Comments should be filed under the new numbers, however, comments filed under either the original or new numbers will become a part of the official record. The table below contains both the original and new numbers.

SAPA	Case	New SAPA Number
09-E-0715SP4	NYSEG and RG&E	13-E-0198SP1
13-E-0148SP1	Central Hudson	13-E-0198SP2
13-E-0148SP2	Niagara Mohawk	13-E-0198SP3
13-E-0025SP1	Con Ed Coastal	13-E-0198SP4
13-E-0025SP2	Con Ed Overhead and Underground	13-E-0198SP5
13-E-0025SP3	O&R	13-E-0198SP6
13-E-0025SP4	O&R Coastal	13-E-0198SP7

Interested parties may submit comments by e-filing through the Department’s Document Matter and Management System (DMM) <sup>1</sup> or to the Secretary at [Secretary@dps.ny.gov](mailto:Secretary@dps.ny.gov). Those unable to submit comments electronically may mail or deliver their comments to the Honorable Jeffrey C. Cohen, Acting Secretary, Three Empire State Plaza, Albany, New York 12223-1350. Another way to submit comments is by calling the Commission’s toll-free Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. Callers should press “1” to leave their comments. Comments are requested no later than June 10, 2013. All comments submitted to the Secretary will be posted on the Commission’s Web site and become part of the official case record.

(SIGNED)

JEFFREY C. COHEN  
Acting Secretary

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<sup>1</sup> How to Register with DMM, <http://www.dps.ny.gov/e-file/registration.html>.